



MONROE COUNTY PLANNING DEPARTMENT

ADMINISTRATIVE WAIVER APPLICATION

Front Yard Setbacks

Administrative Waiver fee: \$750.00

9.5.282. Residential dwelling permits and bulk regulations.

The director of planning may approve a permit that modifies or waives the minimum front yard requirements set out in Section 9.5-281 provided the director expressly finds that the existing setback average on the street is less than the district standard and the modification or waiver will not result in a setback that is less than the setback on the adjacent structures.

1) PROPERTY OWNER:

Name: _____

Mailing Address: _____

Phone: (Home) _____ (Work) _____ (Fax) _____

2) AGENT (If Applicable):

Name: _____

Mailing Address: _____

Phone: (Home) _____ (Work) _____ (Fax) _____

3) LEGAL DESCRIPTION OF PROPERTY:

Street Address: _____

Subdivision: _____ Lot: _____ Block: _____

Key: _____ MM: _____ RE Number: _____

If in metes and bounds, attach legal description on separate sheet.

4) BACKGROUND INFORMATION:

a) Land Use Designation: _____ b) Dimensions and size of Property _____

c) Present Use of Property: _____

5) Waiver request:

- a) Required setback _____ft. b) Proposed setback _____ft.
c) Average setback for properties on street _____ft.
d) Front yard setback on adjacent properties _____ft.

Please answer the following questions:

- 5) The average front yard setback for existing structures on the street/s is less than the district standard. Yes _____ No _____
6) The waiver will not result in a setback that is less than the setback on the adjacent structures. Yes _____ No _____

.....
If you answered **No** to either question the property is not eligible for a waiver of the front yard setback requirements and the director of planing can not approve your waiver request; Note: application fees are not refundable.

If you answered **Yes** to both questions, please provide evidence to support your answers (see below).

- 7) Describe the waiver request in detail and exactly what the waiver would allow you to do:

- 8) Is the waiver requested the minimum necessary to provide relief to the applicant? Please explain:

- 9) Have you applied for a waiver or variance on this property in the past? _____

If yes, when? _____

Circumstance and outcome of previous application: _____

The following supporting information must accompany the application for a waiver:

NOTE: If the supporting data (i.e. survey, site plan) is larger than 8 1/2 x 14 inches, three (3) copies must be submitted along with a reduced 8 1/2 by 11 copy.

- a) Photographs of site:
 - i. Looking North, East, South & West from perimeters of property and from the main adjacent road.
 - ii. Photographs that clearly identify with stakes or other material the location of the proposed structure on the site and that show if the proposed structure will be located in front of or behind the structures on adjacent properties.
 - iii. Photographs showing the setback from the road edge of other properties on the street.
 - iv. Other photographs that show existing setbacks on the street and that the proposed structure will be located with a similar front yard setback to existing structures.
 - v. A recent aerial photograph with property boundaries delineated may be substituted.
- b) A site plan (scaled and dimensioned) showing proposed building, all structures, improvements, parking facilities, etc. with all dimensions to scale must be submitted. On the site plan, identify any proposed structures for which the variance/s are requested. Also, locate property entrances.
- c) Land Use District Map showing surrounding property within one thousand (1,000) feet of subject property boundaries.
- d) Surface Water Management Plan 9.5-293; a storm water management plan is required to show that the construction will not result in surface water management issues.
- e) Proof of ownership of subject property. (Copy of recorded Warranty Deed or tax bill).
- f) Survey of the property prepared by a surveyor registered in the State of Florida.
- g) Any additional evidence you believe will support your request.

I certify that I am familiar with the information contained in this application, and to the best of my knowledge, such information is true, complete and accurate.

Applicant's Signature

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2004, by _____ who is personally known or who has produced _____ as identification.

Notary Public
My Commission Expires

EVALUATION CRITERIA

- 1) The front yard setback proposed is less than the required front yard setback.
- 2) There must be sufficient evidence presented for the director of planning to find that the existing front yard setbacks for structures along the street are (on average) less than the front yard setback required by the zoning district the property is located within.
- 3) There must be sufficient evidence presented for the director of planning to find that the proposed setback will not result in a structure that is located in front of the existing setback line established by adjacent properties or with a front yard setback that is less than the front yard setback on existing adjacent properties.
- 4) The waiver will not interfere with any existing or proposed septic system on the property.
- 5) The waiver will not result in surface water management issues, Surface Water Management 9.5-293.